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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,901	02/27/2004	Wolfgang Pfeifer	13913-171US1/2001P00031 W	4529
32864	7590	11/14/2007	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			WU, QING YUAN	
			ART UNIT	PAPER NUMBER
			2194	
			MAIL DATE	DELIVERY MODE
			11/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/788,901	Applicant(s) PFEIFER, WOLFGANG	
	Examiner Qing-Yuan Wu	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/27/04, 7/20/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending in the application.
2. Applicant is advised that should claim 5 be found allowable, claim 7 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Information Disclosure Statement

3. The information disclosure statements (IDSs) submitted on 2/27/04 and 7/20/06 are being considered by the examiner.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 3, 4-9, 12-16 and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack antecedent basis:

- i. The further representation – Claim 3, line 4.
- ii. The further first property representation – Claims 6, 15 and 19.

- b. The following claim language is indefinite:
 - i. As per claims 4, 6 and 8 it is uncertain whether "an object identification" refer to "an object identification" in claim 1 (i.e. if they are the same then "said" or "the" should be used and "the object identification" should be used throughout all the claims, if they are not, then applicant should consider using a different term such as "a source/target object identifier" to distinguish the two). For examination purpose, they will be treated as different for the remainder of this office action. Similarly, corresponding program product and system claims 12, 15-16 and 19-20 exhibit similar problem, therefore they are rejected for the same reason.

Claim Rejections - 35 USC § 102

- 6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 7. Claims 1-2, 4, 10-12 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Waldo et al. (hereafter Waldo) (U.S. Patent 5,475,817).
- 8. Waldo was cited by applicant's information disclosure statement filed 2/27/04.
- 9. As to claim 1, Waldo teaches a method for communication between a first computer operating in a first object-oriented run-time environment and a second computer operating in a

second, different object-oriented run-time environment, the method comprising [abstract, lines 9-11; col. 3, line 65-col. 4, line 11; col. 6, lines 8-17]:

 sending a first message with an object identification and an action identification from the first computer to the second computer [col. 6, line 52-64; col. 7, lines 1-17 and 31-50];

 identifying an object in the second run-time environment according to the object identification [col. 5, lines 36-67; col. 6, lines 1-6 and 22-27; col. 7, lines 51-57; col. 15, lines 1-30];

 determining an action representation of an action, according to the action identification, in the second run-time environment for the identified object; and

 executing the action using the action representation [col. 4, lines 14-17; col. 7, lines 39-50] (Examiner's interpretation of "action representation," as the operation used to specify the action since the applicant failed to neither preclude nor define this limitation).

10. As to claim 2, Waldo teaches verifying an existence of an action, according to the action identification, in the identified object in the second run-time environment [col. 7, lines 31-50].

11. As to claim 4, Waldo teaches returning to the first computer a second message as a confirmation message with an object identification a response identification [col. 8, line 46-col. 9, line 29] (In order for a result to return to the requestor object identification for the requestor object must exist).

12. As to claims 10-12, these claims are rejected for the same reason as claims 1-2 and 4 above.

13. As to claim 17, this claim is rejected for the same reason as claims 1-2 and 4 above.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 3, 5-9, 13-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo as applied to claims 1-2, 4, 10-12 and 17 above.

16. As to claim 3, Waldo does not specifically teach wherein executing the action includes: converting a request identification that is part of the action identification, converting using a look-up table, and inserting the further representation into the second application. However, Waldo disclosed translation of the parameters of the requests and converting data representations when the requester object and the target object are in different kinds of computers [col. 4, lines 21-23 and 44-47]. It would have been obvious to one of an ordinary skill in the art at the time the invention was made to have recognized that the translating and converting capability of Waldo would have include a middleware/mapping table or similar to perform the translation/conversion and that the content of the request (i.e. request identification that is part of the action identifier) being translated is immaterial to patentability as long as the predictable result of communicating the operation to a target object was achieved.

17. As to claim 5, Waldo does not specifically teach displaying, using the first computer, at least a portion of the response identification. However, Waldo disclosed requesting a phone number of another user through a display menu of an application which subsequently communicates the request to a target object [col. 14, line 63-col. 15, line 5]. It would have been obvious to one of an ordinary skill in the art at the time the invention was made to have recognized that if a response (i.e. telephone information) was being returned by the target object the response (identification) would have been displayed to satisfy the request of the user.

18. As to claim 6, this claim is rejected for the same reason as claims 3-4 above.

19. As to claim 7, this claim is rejected for the same reason as claim 5.

20. As to claim 8, this claim is rejected for the same reason as claims 3 and 6 above.

21. As to claim 9, this claim is rejected for the same reason as claim 3 above.

22. As to claims 13-14, these claims are rejected for the same reason as claim 3 above.

23. As to claim 15, this claim is rejected for the same reason as claim 6 above.

24. As to claim 16, this claim is rejected for the same reason as claim 8 above.

25. As to claim 18, this claim is rejected for the same reason as claim 3 above.
26. As to claim 19, this claim is rejected for the same reason as claim 6 above.
27. As to claim 20, this claim is rejected for the same reason as claim 8 above.
28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 7,275,079 to Brodsky et al., and U.S. Publication 2002/0038335 to Dong et al. teach communication between objects in different object models.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qing-Yuan Wu whose telephone number is (571) 272-3776. The examiner can normally be reached on 8:30am-6:00pm Monday-Thursday and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

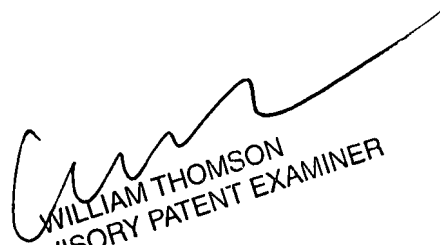
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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Qing-Yuan Wu

Examiner

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WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER